

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

MATTIE BOND,

Plaintiff,

v.

**PATRICK TARANTINO and
RALPH MOYLE INC.,**

Defendants.

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CAUSE NO. 1:13-CV-227

OPINION AND ORDER

This case was filed in this Court based on diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). (Docket # 1.) The Complaint alleges that “Defendant Ralph Moyle Inc., a Corporation, is a commercial trucking and hauling company incorporated under the laws of Michigan” with a registered agent in Michigan. (Compl. ¶ 2.)

The Complaint, however, is inadequate as to Defendant Ralph Moyle Inc. because corporations “are deemed to be citizens of the state in which they are incorporated *and* of the state in which they have their principal place of business.” *N. Trust Co. v. Bunge Corp.*, 899 F.2d 591, 594 (7th Cir. 1990) (emphasis added); *see* 28 U.S.C. § 1332(c)(1). The term “principal place of business” refers to the corporation’s “nerve center”—the place where a corporation’s officers direct, control, and coordinate the corporation’s activities. *Hertz Corp. v. Friend*, 130 S. Ct. 1181, 1192 (2010).

Thus, the Court must be apprised of both facts—the state of incorporation and the state in which the principal place of business is located—with respect to Defendant Ralph Moyle Inc. Here, although the Complaint alleges that Ralph Moyle Inc. is incorporated under the laws of

Michigan, it contains no allegations concerning the state in which Ralph Moyle Inc. maintains its principal place of business.

Therefore, Plaintiff is ORDERED to supplement the record by filing an Amended Complaint on or before August 19, 2013, properly alleging the citizenship of Defendant Ralph Moyle Inc. by including the state in which its principal place of business is located.

SO ORDERED.

Enter for this 5th day of August, 2013.

/S/ Roger B. Cosbey
Roger B. Cosbey,
United States Magistrate Judge